

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

Plaintiff,

And

NATURAL RESOURCES DEFENSE
COUNCIL, INC. AND SIERRA CLUB,

Proposed Intervenor-Plaintiffs,

v.

DTE ENERGY COMPANY AND
DETROIT EDISON COMPANY,

Defendants.

Civil Action No.
2:10-cv-13101-BAF-RSW

Judge Bernard A. Friedman

Magistrate Judge R. Steven Whalen

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION**

**APPENDIX A:
INDEX OF EXHIBITS**

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| Ex. 1 | Declaration of George T. Wolff, Ph.D. |
| Ex. 2 | Declaration of Colin M. Campbell |
| Ex. 3 | Declaration of Skiles W. Boyd |
| Ex. 4 | Declaration of William C. Rogers |
| Ex. 5 | Letter from Phillip A. Brooks (EPA) to Michael J. Solo (Detroit Edison)
(May 28, 2010) |
| Ex. 6 | Letter from Phillip A. Brooks (EPA) to Michael J. Solo (Detroit Edison)
(June 2, 2010) |

- Ex. 7 Letter from Michael J. Solo (Detroit Edison) to Mark Palermo (EPA) (June 3, 2010)
- Ex. 8 EPA, Notice and Finding of Violation (June 4, 2010)
- Ex. 9 Declaration of Jerry L. Golden
- Ex. 10 Declaration of Michael J. King
- Ex. 11 Transcript of the Videotaped Deposition of Robert H. Koppe, *United States v. Cinergy Corp.*, No. IP99-1693 C-M/S (S.D. Ind. Nov. 30, 2005) (excerpt)
- Ex. 12 Verdict Form, *United States v. PSI Energy, Inc.*, 1:99-cv-1693-LJM-JMS (S.D. Ind. May 22, 2008)
- Ex. 13 Declaration of Suresh H. Moolgavkar, M.D., Ph.D.
- Ex. 14 Declaration of Stanley R. Hayes
- Ex. 15 Declaration of Ralph E. Morris